

her husband, by deed dated the 3rd day of April in the year 1889 and duly recorded in Liber W. I. P. No. 9, folio 136 one of the Land Records aforesaid. Certified copies of each of the said deeds are herewith filed and respectively marked Exhibits R. H. P. No. 1, G. L. T. No. 1 and R. H. P. No. 2, which said Exhibits together with all other Exhibits hereinafter filed, it is prayed may be taken and considered as a part of this bill of complaint.

Second, That the said Robert H. Padgett left surviving him as his only heirs at law, Janie G. Padgett, his wife, who resides in the village of Adamstown aforesaid; a sister, Ida V. Padgett, who is unmarried and likewise resides in said village of Adamstown; a brother, John C. Padgett, who with his wife, Nellie Padgett, resides at 245 Eighth Street N. E. in the city of Washington, District of Columbia; a sister, Ruth Augusta Krieg, who resides with her husband, Jesse Krieg, in the said village of Adamstown; a niece, Lucie E. Cromwell, unmarried, who resides with her aunt the said Ida V. Padgett in the village of Adamstown.

Third, That a certain Clem C. Kessler brought two suits against John C. Padgett, one of said heirs, and on the 2nd day of July A. D. 1908, judgments were thereupon entered against the said John C. Padgett in the Circuit Court for Frederick County, for the sums of ONE HUNDRED and EIGHT dollars and FIFTY cents, (\$108.50), and ONE HUNDRED and SEVENTY-NINE dollars and FIFTY-SIX cents, (\$179.56), respectively, with interest and costs all of which will appear by reference to certified copies of the entries thereof herewith filed as Exhibits " Judgments No. 1 and No. 2. "

Fourth, That your complainant is entitled to the interest of a widow in and to the real estate of which the said Robert H. Padgett died, seized and possessed.

Fifth, That said real estate is not susceptible of division between the parties hereto, without loss and injury, and that the